

**§157.14 First Responder Organization
Recognition and Licensure
EMS Committee DRAFT 3– 8/13/2004**

1 **Because this rule is being recommended to be revised substantially, it is staff's and legal's**
2 **recommendation to repeal current 157.14 and propose a new 157.14.**
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5 §157.14 Requirements for First Responder Organization Recognition and Licensure
6

7 (a) A First Responder Organization (FRO) is a group or association of certified
8 emergency medical services personnel that works in cooperation with a licensed emergency
9 medical services provider to:

10
11 (1) routinely respond to medical emergency situations;

12
13 (2) utilize personnel who are emergency medical services (EMS) certified by the
14 Texas Department of Health (department);

15
16 (3) provide on-scene patient care to the ill and injured; and

17
18 (4) does not transport patients.
19

20 (b) All First Responder Organizations meeting the description in 157.14 (a) must comply
21 with the requirements outlined in this section including submission of an application for
22 recognition or licensure.

23
24 (c) Application requirements for EMS First Responder Organization Recognition
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26 (1) An independent Basic Life Support First Responder Organization may apply
27 for First Responder Organization (FRO) Recognition by submitting a completed application to
28 the department. A complete application consists of the following:
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30 (A) the application form;

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32 (B) a personnel list including social security number or personnel ID
33 number and certification/licensure level;

34
35 (C) a description and map of the service area;

36
37 (D) staffing plan including days of the week and hours of the day the FRO
38 will be available for response;

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40 (E) response and treatment protocols including an equipment and supply
41 list approved by the FRO medical director;
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(E) letter of recognition from licensed EMS provider or city/county
elected official; and

(F) process for the assessment of care provided by the FRO personnel;

(G) The application for FRO recognition will be considered incomplete if
any items listed in §157.14 (c) (1) are not enclosed with the application.

(H) All items listed in (c) (1) must be available for review by department
personnel if requested during unannounced site visits or complaint investigations.

(2) An independent Advanced Life Support (ALS) First Responder Organization
may apply for First Responder Organization (FRO) Recognition by submitting a completed
application to the department. A complete application consists of the following:

(A) the application form;

(B) a personnel list including social security number or personnel ID
number and certification/licensure level;

(C) a description and map of the service area;

(D) staffing plan including days of the week and hours of the day the FRO
will be available for response;

(E) The FRO shall have an agreement with all licensed providers and their
medical directors who routinely transport patients treated by the FRO's personnel. The agreement
shall be approved by the responsible person for the first responder organization, the service
director and the medical director of each licensed EMS provider. The agreements shall address at
a minimum the:

(i) level(s) of certification/licensure of FRO personnel providing
care;

(ii) response and treatment protocols including an equipment and
supply list approved by the FRO medical director and a letter of approval from the medical
director(s) of the licensed transporting providers with whom the FRO has agreements;

(iii) patient care reporting procedures;

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- 84 (iv) process for the assessment of care provided by the FRO
85 personnel;
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87 (v) response code policies for FRO personnel;
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89 (vi) on-scene chain-of-command policies;
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91 (vii) policies regarding FRO personnel canceling en route EMS
92 units;
93
94 (viii) policies regarding FRO personnel accompanying patients in
95 provider's vehicles including when FRO personnel hold the highest certification or licensure on
96 the scene; and
97
98 (ix) patient confidentiality.
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100 (F) The application for FRO recognition will be incomplete if any items
101 listed in 157.14 (c)(2) are not enclosed with the application.
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103 (G) All items listed in (c) (2) must be available for review by department
104 personnel if requested during unannounced site visits or complaint investigations.
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107 (3) Any FRO which is, or has a contract with, an entity such as a business,
108 corporation or department and whose first responder employees or members are compensated by
109 that entity for providing first responder service shall pay a nonrefundable \$60 application fee. If
110 recognition is issued for less than 12 months in which case the nonrefundable fee shall be \$30.
111 The FRO's personnel are not exempt from the payment of certification application fees.
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113 (4) Applicants who meet all the requirements for recognition shall be issued First
114 Responder recognition. The recognition may be valid for up to 2 years, but may be issued for
115 less than 2 years for administrative purposes.
116

117 **Staff Note: When approved, BLS and ALS First Responder Organizations recognition will**
118 **receive recognition for two years from date of issuance.**
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120 (d) Application requirements for an EMS First Responder Organization License
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122 (1) A BLS or ALS First Responder Organization affiliated with a Texas Licensed
123 EMS Provider may apply for a First Responder Organization (FRO) License by submitting a
124 completed application to the department. A complete application consists of the following:
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- 126 (A) the application form;
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- 128 (B) a personnel list including social security number or personnel ID
- 129 number and certification/licensure level;
- 130
- 131 (C) a description and map of the service area;
- 132
- 133 (D) staffing plan including days of the week and hours of the day the FRO
- 134 will be available for response;
- 135
- 136 (E) Affiliation agreement with the primary licensed EMS provider in the
- 137 service area. The primary licensed EMS provider must provide a letter attesting that the
- 138 following items have been reviewed and approved by the director and medical director of the
- 139 EMS provider:
- 140
- 141 (i) level(s) of certification/licensure of FRO personnel providing
- 142 care;
- 143
- 144 (ii) response and treatment protocols including an equipment and
- 145 supply list approved by the medical director of the licensed provider;
- 146
- 147 (iii) patient care reporting procedures;
- 148
- 149 (iv) process for the assessment of care provided by the FRO
- 150 personnel;
- 151
- 152 (v) response code policies for FRO personnel;
- 153
- 154 (vi) on-scene chain-of-command policies;
- 155
- 156 (vii) policies regarding FRO personnel canceling en route EMS
- 157 units;
- 158
- 159 (viii) policies regarding FRO personnel accompanying patients in
- 160 provider's vehicles including when FRO personnel hold the highest certification or licensure on
- 161 the scene; and
- 162
- 163 (ix) patient confidentiality.
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- 165 (F) It is not necessary to submit the individual items in subsection (d) (1)
- 166 (E) (i) – (ix) with the application, if each is referenced in the affiliation agreement. All items

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listed in (d) (1) must be available for review by department personnel if requested during unannounced site visits or complaint investigations.

(2) Any FRO which is, or has a contract with, an entity such as a business, corporation or department and whose first responder employees or members are compensated by that entity for providing first responder service shall pay a nonrefundable \$60 application fee. If recognition is issued for less than 12 months in which case the nonrefundable fee shall be \$30. The FRO's personnel are not exempt from the payment of certification application fees.

(3) Applicants who meet all the requirements for recognition shall be issued First Responder recognition. The recognition may be valid for up to 2 years, but may be issued for less than 2 years for administrative purposes.

Staff Note: Expiration will coincide with the expiration of the affiliated licensed provider.

(4) Although not required, the FRO license application may be submitted with the license application of the affiliated EMS provider. The FRO remains responsible for submitting fees, if applicable.

(5) An affiliation between a licensed EMS provider and a licensed FRO does not imply any legal status beyond the agreements listed in 157.14 (d) (1)

(5) A violation of statute or rule by a FRO will not implicate the affiliated EMS provider unless both organizations are involved in the violation. Likewise, a violation of statute or rule by an affiliated EMS provider does not implicate the FRO unless both organizations are involved in the violation.

(d) Responsibilities of the FRO. During the recognition or licensure period the FRO's responsibilities shall include:

(1) assuring ongoing compliance with the terms of the provider agreement(s);

(2) assuring that all personnel, when on-scene, are prominently identified by, at least, the last name and the first initial of the first_name, certification level and organization;

(3) monitoring and taking appropriate action regarding the quality of patient care provided by FRO personnel;

(4) monitoring personnel compliance with medical protocols;

(5) maintaining confidentiality of patient information according to the Health and Safety Code, Chapter 773, Subchapter D, §§773.091-773.096;

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210 (6) carrying proof of first responder registration in all vehicles used or operated
211 by the FRO;

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213 (7) maintaining compliance with all applicable laws and regulations;

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215 (8) monitoring and enforcing general personnel safety policies including at least
216 personal protective equipment, immunizations and communicable disease exposure and
217 emergency vehicle operation;

218
219 (9) notifying the department within 10 days if:

220
221 (A) the FRO ceases to exist or merges with another FRO;

222
223 (B) there is a change in the:

224
225 (i) official business address and/or phone number;

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227 (ii) administrator;

228
229 (iii) email address;

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231 (iii) providers associated with the FRO; and/or

232
233 (iv) medical director.

234
235 (10) assuring that all relevant patient care information is supplied to the licensed
236 provider upon transfer of care to the provider;

237
238 (e) Recognition or license renewal.

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240 (1) The department may notify the FRO at least 90 days before the expiration date
241 of the current recognition or license at the address shown in the current records of the
242 department. If a notice of expiration is not received, it is the responsibility of the FRO to notify
243 the department and request recognition or license renewal application information.

244
245 (2) FRO's shall submit a completed application and nonrefundable fee, if
246 applicable, and must verify compliance with the requirements of their recognition or license.

247
248 (f) Recognition or license denial. Recognition or licensure may be denied for, but not
249 limited to, the following reasons:

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(1) failure to meet requirements of first responder recognition or licensure in accordance with this section;

(2) previous failure to meet the responsibilities of a registered first responder organization as described in this section;

(3) falsifying any information, record or document required for a first responder recognition or license;

(4) misrepresenting any requirements for first responder recognition or license or renewal of first responder recognition or license;

(5) history of criminal activity while recognized or licensed as an FRO;

(6) history of disciplinary action relating to first responder recognition or licensure; and/or

(7) issuing a check for application for first responder recognition or license which is subsequently returned to the department unpaid.

(g) Recognition or license revocation criteria. First responder recognition or licensure may be revoked or suspended for failure to meet the responsibilities of a registered FRO as described in this section.

(h) For all applications and renewal applications, the department (or the board) is authorized to collect subscription and convenience fees, in amounts determined by the Texas Online Authority, to recover costs associated with application and renewal application processing through Texas Online.

Staff note: Recommend 157.16 be amended to include FRO's.